



City of NORFOLK

C: Dir., Department of City Planning

To the Honorable Council
City of Norfolk, Virginia

July 21, 2015

From: George M. Homewood, AICP, CFM, Planning Director

Subject: **Zoning Text Amendment to add "Pawnshop" as a land use allowed by special exception within the PCO-5 PTS (Pedestrian Commercial Overlay – Five Points) zoning district.**

Reviewed:

Ronald H. Williams, Jr., Deputy City Manager

Ward/Superward: 3/7

Approved:

Marcus D. Jones, City Manager

Item Number:

PH-3

- I. **Staff Recommendation:** Approval
- II. **Commission Action:** By a vote of **6 to 0**, the Planning Commission recommends **Approval**.
- III. **Request:** Zoning Text Amendment to permit "Pawnshop" within the PCO-5 PTS district with a special exception
- IV. **Applicant:** City Planning Commission
- V. **Description:**
 - The PCO-5 PTS covers the commercially zoned properties within the Five Points area of Norview, along Chesapeake Boulevard and Sewell's Point Road.
 - Notice was sent to the Norview, Sewells Gardens, Coronado/Inglenook, Wellington Oaks, Greenwood/Elmhurst/Norview Heights/Brandon Place, Estabrook, Greenhill Farms, Civic Leagues on May 13.
 - Letters of support were received from the Norview and Estabrook Civic Leagues.
 - A petition has been provided to Planning Staff by the Norfolk Pawn Shop, containing over 1,200 signatures which support the relocation of the existing Norfolk Pawn Shop to this proposed location.
 - The petition includes 10 signatures of residents from the May 12th Estabrook Civic League meeting and 12 signatures of residents from the May 12th Norview Civic League meeting.
 - The pawnshop relocation is only permissible if the zoning text amendment is approved to allow pawnshops within the PCO-5 PTS district by special exception.

Staff point of contact: Matthew Simons at 664-4750, matthew.simons@norfolk.gov

Attachments:

- Staff Report to CPC dated June 25, 2015 with attachments
- Letters of support – Norview and Estabrook Civic Leagues
- Letters of support – neighbors and citizens
- Proponents and Opponents
- Ordinance



City of NORFOLK

Planning Commission Public Hearing: June 25, 2015

Executive Secretary: George M. Homewood, AICP, CFM *GMH*

Staff: Matthew Simons, CFM *M. S.*

Staff Report	Item No. 2
Applicant	City Planning Commission
Request	Zoning Text Amendment To add "Pawnshop" as a land use allowed by special exception within the PCO-5 PTS (Pedestrian Commercial Overlay – Five Points) zoning district.

A. Summary of Request

This zoning text amendment would amend the PCO-5 PTS overlay zoning district to allow pawnshops, subject to the approval of a special exception permit.

B. Plan Consistency

- The Enhancing Economic Vitality chapter of *plaNorfolk2030* includes an action calling for modifications to city processes to support business investment.
 - The proposed changes are consistent with the recommendations of that action.

C. Zoning Analysis

- The PCO-5 PTS covers the commercially zoned properties within the Five Points area of Norview, along Chesapeake Boulevard and Sewell's Point Road.
- The uses that are permitted in the district are those that encourage pedestrian oriented commercial activities.
- The amendment proposes to allow pawnshops, which are currently prohibited in the district, by Special Exception
- A pawnshop use could create additional pedestrian traffic along the corridor which may benefit existing commercial businesses in the district.
- In June 2013, the City Planning Commission voted to recommend denial of the same zoning text amendment request by a 1-5 vote.
 - The majority voted for denial based on community opposition expressed at the time.
 - The minority voted for approval based on the recommendation of Planning Staff.
 - Subsequent to the June 2013 Planning Commission vote, the Norview Task Force held three meetings to discuss the proposal.
 - At the September 2013 Norview Task Force meeting, the community announced support for the zoning text amendment to allow pawnshops within the Five Points PCO.
 - In February 2014, the City Council denied the original zoning text amendment request.

- The Zoning Ordinance restricts any zoning text amendment from being reconsidered by the Planning Commission and City Council until at least one year following the withdrawal or final action of the City Council concerning substantially the same subject.

D. Financial Impact

- The proposed amendment would permit a use in the PCO-5 PTS that is not currently permitted.
- The additional use, if approved, could stimulate additional investment in the corridor, and add to the City's tax roll.

E. Civic League

- Notice was sent to the Norview, Sewells Gardens, Coronado/Inglenook, Wellington Oaks, Greenwood/Elmhurst/Norview Heights/Brandon Place, Estabrook, Greenhill Farms, Civic Leagues on May 13.
- Letters of support were received from the Norview and Estabrook Civic Leagues.
- A petition has been provided to Planning Staff by the Norfolk Pawn Shop, containing over 1,200 signatures which support the relocation of the existing Norfolk Pawn Shop to this proposed location.
 - The petition includes 10 signatures of residents from the May 12th Estabrook Civic League meeting and 12 signatures of residents from the May 12th Norview Civic League meeting.
 - The pawnshop relocation is only permissible if the zoning text amendment is approved to allow pawnshops within the PCO-5 PTS district by special exception.
- Letters of support were received from two citizens.

F. Communication Outreach/Notification

Legal notification was placed in *The Virginian-Pilot* on June 11 and June 18

G. Recommendation

Staff recommends that the zoning text amendment be **approved**.

Attachments:

Map of the PCO-5 PTS overlay zoning district boundaries with existing pawnshop location

Exhibit A

Letters of support – Norview and Estabrook Civic Leagues

Letters of support – neighbors and citizens

Proponents and Opponents

Proponents

Austin Loney
2205 Jeffrey Drive
Norfolk, VA 23518

Christine Loney
2205 Jeffrey Drive
Norfolk, VA 23518

Josh Loney
6145 Sewells Point Road
Norfolk, VA 23513

Ann Wilson
6145 Sewells Point Road
Norfolk, VA 23513

Donna Melgoza
6131 Sewells Point Road
Norfolk, VA 23513

William D. Jackson
3709 Buckingham Street
Norfolk, VA 23513

Jason Duffy
8152 Camellia Road
Norfolk, VA 23518

Ava J. Duffy
8152 Camellia Road
Norfolk, VA 23518

Caitlin Duffy
7624 Bondale Avenue, unit 114
Norfolk, VA 23505

Shirley Reid
780 Marvin Avenue
Norfolk, VA 23518

Mary Ellen Ellis
238 Woodview Avenue, Apt B
Norfolk, VA 23505

Shawntay Ginter
225 A View Avenue, unit 213
Norfolk, VA 23503

Ashley Baker
225 A View Avenue, unit 213
Norfolk, VA 23503

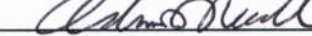
Sarah Bean
3653 Amherst Street
Norfolk, VA 23513

Charles H. Benson
1525 Bayville Street, unit E6
Norfolk, VA 23503

Opponents

None

Form and Correctness Approved: 

By 
Office of the City Attorney

Contents Approved: 

By 
DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE TO AMEND AND REORDAIN TABLE 11-33-A OF THE ZONING ORDINANCE OF THE CITY OF NORFOLK, 1992, IN ORDER TO ALLOW PAWNSHOP BY SPECIAL EXCEPTION IN THE FIVE POINTS PEDESTRIAN COMMERCIAL OVERLAY (PCO-5 PTS) DISTRICT.

- - -

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1: - That Table 11-33-A of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Table of Land Uses," is hereby amended and reordained so as to allow "Pawnshop" by special exception in the Five Points Pedestrian Commercial Overlay (PCO-5 PTS) District. The table shall read as set forth in "Exhibit A," attached hereto.

Section 2:- The Council hereby finds that this zoning amendment is required by public necessity, convenience, general welfare, or good zoning practice.

Section 3:- That this ordinance shall be in effect from the date of its adoption.

ATTACHMENT:

Exhibit A (2 pages)

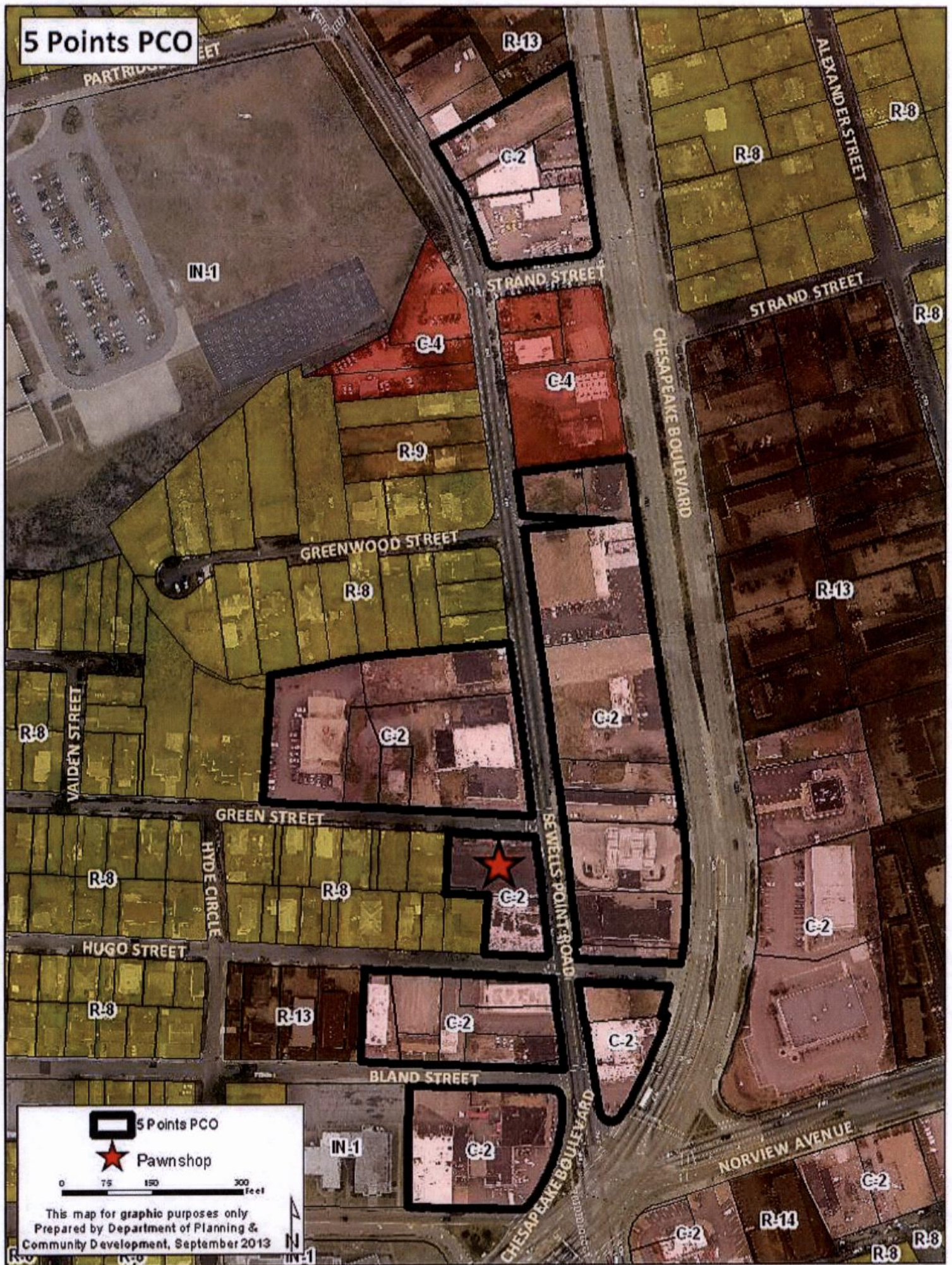
EXHIBIT A

PCO-5 PTS DISTRICT
TABLE 11-33-A — TABLE OF LAND USES

LAND USE	DISTRICT	COMMENTS
P = Permitted Use S = Special Exception Use	PCO-5 PTS	
RESIDENTIAL USES		
Mixed Uses	S	
OFFICE USES		
Office	P	
Office/Clinic, Medical	P	
Office, Veterinary	S	
COMMERCIAL USES		
Antique Store	P	
Art Gallery	P	
Automobile and Truck Repair	S	Subject to the requirements of § 25-10.3 Automobile repair and gas station
Commercial Drive-Through	S	Subject to the requirements of § 25-10.8 Commercial drive-through facility
Convenience Store, 24-Hours (no fuel sales)	S	
Convenience Store, 24-Hours (with fuel sales)	S	Subject to the requirements of §25-10.3, Automobile repair and gas station. Subject to the requirements of §13-6.6 Motor fuel pumps, islands and curbs.
Eating Establishment	P	
Eating and Drinking Establishment	S	Subject to the requirements of § 25-10.1 Adult uses
Entertainment Establishment	S	Subject to the requirements of § 25-10.1 Adult uses. If Dance Floor is Requested, may be Subject to City Code § 5 – Article II
Farmer's Market	P	
Financial Institution	P	
Gas Station	S	Subject to the requirements of § 25-10.3 Automobile repair and gas station. Subject to the requirements of §13-6.6 Motor fuel pumps, islands and curbs.
Health and Fitness Facility	P	
Pawnshop	S	Subject to the limitation on the maximum number under City Code Sec. 24-26 and any other regulations under City Code Chapter 38, article I.

LAND USE	DISTRICT	COMMENTS
P = Permitted Use S = Special Exception Use	PCO-5 PTS	
Retail Goods Establishment	P	
Retail Goods Establishment (operating after midnight)	S	
Retail Services Establishment	P	
Retail Services Establishment (operating after midnight)	S	
Studio, Arts	P	
Studio, Dance	P	
Theater	P	
<i>PUBLIC AND CIVIC USES (Sites < 1 Acre)</i>		
Day Care Center, Adult	P	
Day Care Center, Child	P	Subject to the requirements of § 25-10.2 Day care centers
Governmental Operations (non-industrial)	P	
Museum	P	
Park	P	
Utility Facility	P	

5 Points PCO



June 12, 2015

Norview Civic League

City of Norfolk, VA

Department of City Planning

City Hall Building

810 Union Street

Suite 508

Norfolk, VA 23510

Dear City Planning Board,

I am writing on behalf of and at the request of Norview Civic League. We, as a civic organization, would like to **voice our support of the one block move of the Norview Pawn Shop** from their current location at 6177 Sewells Point Road to 6145 Sewells Point Road.

The plans for this move was brought to our Civic League approaching two years ago. As a group, we made Josh and Austin Loney, proprietors, give their best presentation and after many, many questions and answers all of our concerns were addressed and we as Norview Civic League gave them our blessing.

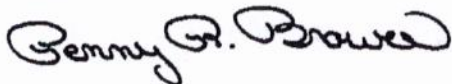
We as a group feel very happy that the Loney's have chosen to upgrade their pawn shop and hopefully ignite the spark of innovation and growth so badly needed in the Five Points area. The Loney's have proven themselves to be wonderful neighbors and proactive members of Norview Civic League, where they have built support not only among our civic organization, but the neighborhood in general. These actions include creating a Business Partnership within Norview by Austin, that had not existed before.

The Loney's have also developed a faithful following with many residents of the neighborhood showing up at any and all meetings or workshops concerning the relocation of the pawn shop, covering quite a span of time.

It is our most ardent wish and hope that you, the Planning Commission, bestow your approval of the relocation, which would then move on to City Council, where hopeful they will see how this is nothing but a plus to our little area of Norfolk.

Thank you for your time in reading our request and hopefully you will give Norview Pawn Shop the "green light", in turning giving Norview the shot in the arm it can surely use.

Sincerely,



Penny R. Brower

Secretary/Treasurer

Norview Civic League



Estabrook Civic League

3619 Robin Hood Road
Norfolk, Virginia 23513

June 15, 2015

Mr. Matt Simpson
Director of Planning & Community Development
810 Union Street
Norfolk, VA, 23501

Dear Mr. Simpson,

I am writing on behalf of the members of the Estabrook Civic League. Our league area covers over 1K homes and is several blocks away from Norview Ave 5-points area. It has come to our attention that the upcoming Council meeting has a land use special exception vote to add Pawnshop to the PCO 5-pts district.

Initially the members were opposed to this action but with further information from the owners and their employees **the Estabrook Civic League now supports the relocation of the Pawn Shop**. Josh Loney attended the May meeting and explained to the group what the proposed changes would entail. There was no opposition from the members. We are in support of small business and hope this move will be a catalyst for change in the Norview Ave 5-points area. In addition, with the change of the land use exemption to include pawnshop could allow a proliferation of other pawnshops which could be a disaster to an already declining small business area.

Thank you considering the ECL change in support of the "Table of Land Uses" for PCO-5 PTS (Pedestrian Commercial Overlay – Five Points) district, to add "Pawnshop" as a land use allowed by Special Exception within the PCO 5-PTS district.

Respectfully,

Susan Tweed,

Susan Tweed
President, **Estabrook Civic League**

**PADAMACI GROUP LLC
dba Anchor Apartments
3020 I Prosperity Church Rd.
Charlotte, NC 28269**

June 22, 2015

Attention:

**George M. Homewood, AICP, CFM
Executive Secretary
Norfolk City Planning Commission**

and Matt Simons.

This letter is being provided to inform all participants at the June 25th public hearing on the NORFOLK PAWN shop, that as owners of the property at 1136 and 1140 Hugo St, and 6155, 6159, 6163, 6165 and 6167 Sewell's Point Rd. my wife **Martha and I fully support the special exception to operate a pawnshop on properties located at 6137-6145 Sewell's Point Road.**

If any one has any questions of us about this letter please contact me directly at (704)589-8789 or my wife Martha at (704)574-7982. We personally believe that the Five Points Association driven rules for occupancy should be scrapped and all legal businesses should be allowed to operate in this area. Since these rules in our opinion have been a major inhibitor in keep this area occupied.

Sincerely,

**Joseph M. Morgado Jr. (Jay), CFO
Martha E. Morgado, CEO
Padamaci Group LLC**

6-24-15

To the permits and planning committee of the 5 points Norview district.

World Cleaners at 6131 Sewells Point Road, would like to give our complete support and agreement, for the Norview Pawn Shop to continue their great improvement and opening of the store in the building formerly known as the BB and T bank.

Being a business in the Norview 5 Points area we can say that the improvement to the few businesses that are left is refreshing and encouraged. With installment of surveillance cameras and customer traffic at the opening of the 5 Points corridor, there will be greater safety and encouragement for other businesses to venture into the Norview area,

Again I fully back the approval of the Norview Pawn Shop moving to the old BB and T building,

Thank You,

Donna Melgoza

Owner World Cleaners



555 E. Main Street, Suite 1100
Norfolk, Virginia 23510

Phone: 757.622.2768
Fax: 757.625.3717
www.cooperrealtyva.com

June 25, 2015

City of Norfolk Planning Department
Attn: Matthew Simon
matthew.simons@norfolk.gov
City Hall Building
810 Union Street, 4th Floor
Norfolk, VA 23510

RE: Norfolk Pawn
Special Exception to Operate a Pawnshop on Properties Located at 6137 - 6145
Sewells Point Road

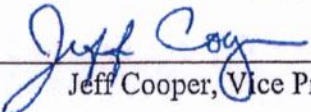
Dear Mr. Simons:

We are writing to support of Norfolk Pawn's application for the proposed special exception to operate a pawnshop on properties located at 6137 - 6145 Sewells Point Road.

Five Points, LLC is a commercial property owner in the Five Points community and is a member of the Five Points Business Association. We have seen Norfolk Pawn successfully operate its business in Five Points for over two decades, while other business have shuttered in the area, proving themselves to be a valuable community member and tax payer for the City of Norfolk. Furthermore, the Loneys have shown themselves to be good corporate citizens, dedicated to the betterment of the Five Points community by having renovated the building they're requesting to operate in as well as spearheading last November's Build a Better Block event. As such, we believe Norfolk Pawn should be allowed to operate at its new proposed location of 6137 - 6145 Sewells Point Road.

Sincerely,

Five Points, LLC
By: Cooper Realty, Inc., Agent

By: 
Jeff Cooper, Vice President

Cc: acloney@msn.com

May 23, 2015

Dear Sir or Madam:

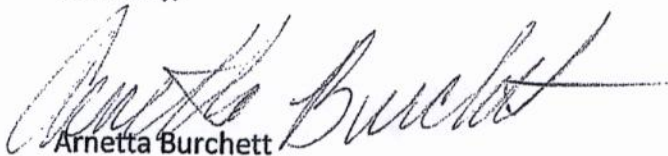
Subject: Moving Norfolk Pawn Shop

My name is Arnetta Burchett, and I am a retired Norfolk Police Officer. I have known Mr. Josh Loney since I patrolled the Park Place area and visited his businesses as a patrol officer and a detective. After retiring, I had the pleasure of working for him for several years. I have watched him do numerous things for the community and churches in the area, including my own church.

When one of his pawn shops was robbed, Mr. Loney went above and beyond his means to ensure that all of the customers who lost their jewelry were compensated. He reimbursed them well above the amount the items that they lost were worth and personally gave the customers his private number to speak directly to him and not go through his managers who were very well-trained to handle this matter.

The Norfolk Pawn location, if moved, would better serve the customers by being in a safer location with better parking. Mr. Loney is always looking for a better way to help and serve others and the community. I know this personally because I had an unexpected death in my family, and without hesitation, Mr. Loney had the manager at my location give me the money for a roundtrip plane ticket to go out of state immediately for however long I needed to be gone. Mr. Loney has hired Norfolk Police officers during the holidays for extra security and has spent a great deal of money on revamping security systems in every location. The purchase of this building at 6145 Sewells Point Road is just another example of what he is willing to do to better serve our community.

Sincerely,


Arnetta Burchett

Suzy Allen
822 West Ocean View Avenue
Norfolk, Virginia 23503
(757) 583-2420

June 22, 2014

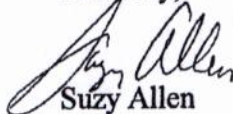
To Whom it may concern:

I have known Josh and Austin Loney in excess of twenty (20) years both personally and professionally. As Manager of Nansemond On The Bay Condominium in Ocean View, I am familiar with their successful Sandfiddler Jewelry & Pawn business located in the Tiny Giant Shopping Center and have served with them in the Ocean View Business Association. Over the years, they have been active participants in many OVBA community projects including fundraising for the dog park on Maple Avenue and most recently volunteering to clean the Duffy's Lane bus stop area on a daily basis. In my experience, they have always run a proper business and have been responsible, engaged community partners.

I understand they wish to move their existing jewelry and pawn business in the Five Points area of the City of Norfolk from 6177 Sewells Point Road to 6145 Sewells Point Road. **I would urge that this request be granted** so they may continue to serve the needs of their customers in a greatly improved space and be active participants in the continued economic development of the Five Points area.

Thank you for your consideration.

Sincerely,



Suzy Allen